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104TH CONGRESS
1ST SESSION

H. R. 779

To amend title XVIII of the Social Security Act to provide for coverage of prostate cancer screening tests under part B of the medicare program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 1995

Mrs. VUCANOVICH introduced the following bill; which was referred to the Committee on Commerce and, in addition, to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend title XVIII of the Social Security Act to provide for coverage of prostate cancer screening tests under part B of the medicare program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Prostate Cancer Screening Act of 1995".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Prostate cancer is the second leading cause of cancer death among men.

(2) An estimated 244,000 new cases of prostate cancer in the United States are expected during 1995.

(3) An estimated 40,400 men are expected to die of prostate cancer during 1995.

(4) The incidence of prostate cancer increases with age and over 80 percent of all prostate cancers are diagnosed in men over age 65.

(5) Early detection of prostate cancer is the best way to control its growth and treat the tumors.

(6) Survival rates for prostate cancer have steadily improved from 50 percent to 80 percent in the past 30 years largely due to increases in the early detection of the disease.

(7) The American Cancer Society and other health organizations recommend an annual digital rectal examination for men starting at age 40 and an annual prostate-specific antigen blood test starting at age 50.

SEC. 3. MEDICARE COVERAGE OF PROSTATE CANCER SCREENING TESTS.

(a) IN GENERAL.—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)), as amended by sec-

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tion 147(f)(6)(B)(iii) of the Social Security Act Amendments of 1994, is amended—

(1) by striking "and" at the end of subparagraph (N); and

(2) by inserting after subparagraph (O) the following new subparagraph:

"(P) prostate cancer screening tests (as defined in subsection (oo));".

(b) TESTS DESCRIBED.—Section 1861 of such Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

"Prostate Cancer Screening Tests

"(oo) The term 'prostate cancer screening test' means a test that consists of a digital rectal examination or a prostate-specific antigen blood test (or both) provided for the purpose of early detection of prostate cancer to a man over 40 years of age who has not had such a test during the preceding year.".

(c) PAYMENT FOR PROSTATE-SPECIFIC ANTIGEN BLOOD TEST UNDER CLINICAL DIAGNOSTIC LABORATORY TEST FEE SCHEDULES.—Section 1833(h)(1)(A) of such Act (42 U.S.C. 1395l(h)(1)(A)) is amended by inserting after "laboratory tests" the following: "(including prostate cancer screening tests under section 1861(oo) consisting of prostate-specific antigen blood tests)".

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(d) CONFORMING AMENDMENT.—Section 1862(a) of such Act (42 U.S.C. 1395y(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by striking "and" at the end,

(B) in subparagraph (F), by striking the semicolon at the end and inserting ", and", and

(C) by adding at the end the following new subparagraph:

"(G) in the case of prostate cancer screening test (as defined in section 1861(oo)) provided for the purpose of early detection of prostate cancer, which are performed more frequently than is covered under such section;"; and

(2) in paragraph (7), by striking "paragraph (1)(B) or under paragraph (1)(F)" and inserting "subparagraphs (B), (F), or (G) of paragraph (1)".

SEC. 4. EFFECTIVE DATE.

The amendments made by section 3 shall apply to tests furnished on or after January 1, 1996.

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